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U.S. AND FOREIGN ANTITRUST OFFICIALS **LAUNCH INTERNATIONAL COMPETITION NETWORK**

New International Venue Will Assist in Global Convergence on Important Antitrust Enforcement Issues

WASHINGTON, D.C. - The Department of Justice, the Federal Trade Commission and top foreign antitrust officials today announced the launch of a new International Competition Network (ICN), which will provide a venue where senior antitrust officials from developed and developing countries will work to reach consensus on proposals for procedural and substantive convergence in antitrust enforcement. The Network was launched today at the Fordham Corporate Law Institute's annual international antitrust conference.

In today's global economy, it has become increasingly apparent that there is a need for a stronger and more broadly based international network of antitrust authorities, including both developed and developing countries, to address unresolved procedural and substantive issues directly affecting multi-jurisdictional antitrust enforcement. With more than 60 countries around the world now reviewing mergers, many deals are reviewed in multiple countries, thereby creating the risk of inconsistent outcomes and potentially unnecessary procedural burdens. International cartels also cut across national borders, harming consumers in many countries.

"International antitrust enforcement needs to move into the 21st century," said Charles A. James, Assistant Attorney General for the Department's Antitrust Division. "The ICN will help us resolve emerging issues that concern both the business community and antitrust enforcers. The

launch of ICN is an important step forward in achieving common ground on important substantive and procedural antitrust matters and protecting competition worldwide.”

ICN will provide an environment in which antitrust officials from dozens of countries can work together to achieve consensus on ways to make international antitrust enforcement more efficient and effective, to the benefit of consumers and companies around the world. It will also assist developing countries in building a competition culture based on sound economic principles.

“The International Competition Network will enable our respective agencies to improve competition, coordination and law enforcement to the benefit of consumers throughout the world,” said Timothy J. Muris, Chairman of the Federal Trade Commission. “ICN will also support the spread of the culture of competition to the many countries who have only recently embraced principles of market-based competition.”

The original concept for ICN came out of the report of the International Competition Policy Advisory Committee. The Committee was created in 1997 to explore how best to address the impact of the increasingly global nature of the economy on international enforcement. ICN was endorsed by Assistant Attorney General Charles A. James and Federal Trade Commission Chairman Timothy J. Muris this summer. In addition, it has been embraced by a number of foreign antitrust officials including Mario Monti, EU Commissioner for Competition, Konrad von Finckenstein, Commissioner of the Canadian Competition Bureau, and Dr. Fernando Sanchez Ugarte, President of Mexico’s Federal Competition Commission.

The following jurisdictions will serve as the interim steering group until they are confirmed by ICN at the first conference: Australia, Canada, European Union, France, Germany, Israel, Italy, Japan, Korea, Mexico, South Africa, United Kingdom, United States, and Zambia. Konrad von Finckenstein will act as interim chairman of the steering committee. These jurisdictions have been involved since the beginning of the process and have made a substantial

commitment in launching ICN. The first official meeting of the ICN will be hosted by the Italian Antitrust Authority in the Spring of 2002. At that time, the final composition of the steering committee will be named. The steering committee will meet annually to discuss the status of ongoing projects and ensure that progress is being made in working groups. After the first meeting in Italy, annual conferences will be held in the following countries, in this order: Mexico, Korea, Germany and South Africa.

James said that the ICN is not a “bricks-and-mortar” organization with a permanent secretariat or headquarters, and it will not deal with trade issues, or other non-antitrust issues. It will be “all antitrust, all the time,” James added. Initially, ICN will focus on the merger control process as it applies to multi-jurisdictional mergers and on the competition advocacy role of antitrust agencies, particularly in emerging economies.

Although primarily an organization for government decision-makers, ICN will seek input from international organizations and the private sector, including legal and economic antitrust practitioners, businesspeople, and academics. The network will develop non-binding recommendations for consideration by individual enforcement agencies. It will have no rulemaking or decision-making authority. Where the ICN reaches consensus on particular recommendations, it will be left to governments to implement them voluntarily.

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